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Albert Tung-chu Man

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EXAMINER

ALPHONSE, FRITZ

ART UNIT

PAPER NUMBER

2675

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/574,327

Applicant(s)

Man et al.

Examiner

Fritz Alphonse

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on May 19, 2000
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "204" has been used to designate both flow diagram block 4 and flow diagram block 5 illustrated in figure 2. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Waschura (U.S. Pat. No. 5,414,713).

As to claim 14, Waschura (fig. 1) teaches about a method for testing digital graphics data, the method including a graphics port (i.e., serial communications 38) for receiving digital graphics data (col. 5, lines 23-32) and determining a characteristic value upon the digital graphics data; and providing the characteristic value over a serial interface of the graphics port (fig. 4; col.5, lines 58-66).

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As to claims 15-16, Waschura teaches about the graphics port being part of a digital graphics interconnect port (col.4, lines 43-64).

As to claims 17-18, Waschura teaches about a method, wherein the steps of determining and providing occur in real-time with respect to the step of receiving (col. 8, lines 63-67).

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miseli (U.S. Pat. No. 5,537,145) in view of Irvin (U.S. Pat. No. 4,772,948).

Regarding claim 19, Miseli teaches about an apparatus for testing digital graphics data (figs. 1-2; col. 2, lines 15-22) including a connector (i.e., system bus 130) to interface to a digital graphics protocol (i.e., video subsystem 115); a graphics data analyzer module (i.e., spectrum analyzer 128, see figure 2B), and an output; and a serial bus interface control module having an input coupled to the output of the graphics data analyzer module (col. 4, lines 54 through col. 5 line 7).

Miseli does not explicitly disclose a data port coupled to the connector. However, this limitation is disclosed by Irvin (col. 1, lines 64-68).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Miseli by specifically providing a digital input port for receiving the

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analog comparator output signals. Doing so would provide an inexpensive way to test elements of a graphics system.

As to claims 20-21, Miseli (fig. 2) shows a system, wherein the serial data port is coupled to a connector to transmit serial data based upon the digital graphics protocol and, wherein the digital graphics protocol is a Digital Flat Panel standard (col. 2, lines 15-21).

As to claim 22, Miseli does not teach a power supply terminal to receive power from a peripheral component interface (PCI) bus. However, this limitation is disclosed by Irvin (see figure 1).

As to claims 23-24, method claims 23-24 correspond to apparatus claim 19. Therefore, they are analyzed as previously discussed in claim 19 above.

6. Claims 1-2, 6-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waschura (U.S. Pat. No. 5,414,713) in view of Miseli.

As to claim 1, the claim differs from claim 14 only in that the limitation "providing digital graphics data of a predetermined type having an expected characteristic to a graphics output port of a graphics system". However, Miseli teaches about a method of testing digital graphics data (col. 2, lines 15-36). The method provides digital graphics data of a predetermined type having an expected characteristics to a graphics output port of a graphics system (col. 2, lines 47-67).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Waschura by specifically providing a digital graphics data of a

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predetermined type. Doing so would allow the test operator to dynamically alter video test patterns so that further measurements can be performed based on subjective or objective observations.

As to claim 2, the claim has substantially the limitations of claim 1. Therefore, it is analyzed as previously discussed in claim 1 above.

As to claims 6-7, Waschura does not explicitly disclose a predetermined type of digital graphics data including a digital graphics vertical synchronization component. However, this limitation is disclosed by Miseli (col. 4 , lines 45-53).

Regarding claims 8-10, Miseli discloses a method, wherein the predetermined type of digital graphics data is selectable and , wherein the step of receiving includes receiving the representation of graphics data at a real-time graphics rate; and the steps of calculating and providing are performed in real time with respect to the step of receiving (col.7, lines 15-29)..

As to claims 11-13, Miseli discloses a method, wherein the graphics output port includes an output port for a flat panel display (col. 2, lines 15-21).

7. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waschura in view of Miseli as applied to claim 1 above, and further in view of Irvin (U.S. Pat. No. 4,772,948).

As to claims 3-5, Waschura does not teach a digital graphics data includes at least one of a red, green, and blue color component. However, this limitation is disclosed by Irvin (fig. 1).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Waschura by specifically providing a digital graphics data includes at

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least one of a red, green, and blue color component. Doing so would provide an inexpensive way to test elements of a graphics system.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sprenger et al. (U.S. Pat. No. 5,861,882) discloses an integrated test and measurement means employing a graphical user interface.

Man et al. (U.S. Pat. No. 5,920,340) discloses a method and apparatus for self-testing of a multimedia subsystem.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse whose telephone number is (703) 308-8534.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Saras, can be reached at (703) 305-9720.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 ( for Technology Center 2600 only )**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

  
F. Alphonse

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May 3, 2002

  
CHANH NGUYEN  
PRIMARY EXAMINER